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October 25, 2012

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: WC Docket No. 11-42 WC Docket No. 03-109 CC Docket No. 96-45 WC Docket No. 12-23	Lifeline and Link Up Reform and Modernization Lifeline and Link Up Federal-State Joint Board on Universal Service Advancing Broadband Availability Through Digital Literacy Training
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TracFone Wireless, Inc. Petition for Declaratory Ruling or, In the
Alternative, for Waiver of Section 54.410(f) of the Commission's Rules
NOTICE OF EX PARTE PRESENTATION

Dear Ms. Dortch:

On May 18, 2012, TracFone Wireless, Inc. ("TracFone"), by undersigned counsel, filed with the Commission the above-captioned petition in which it requested relief from the requirement that Eligible Telecommunications Carriers ("ETCs") re-certify not later than December 31, 2012 the continuing Lifeline eligibility of all customers enrolled in their Lifeline programs as of June 1, 2012. TracFone's request was limited to two categories of customers: 1) those who were enrolled in Lifeline prior to 2012 and who had already re-certified their continuing eligibility during 2012, but prior to June 1, 2012; and 2) those customers who enrolled in TracFone's Lifeline program during 2012, but prior to June 1, 2012 and who would not be subject to annual re-certification until 2013, but for the one time June 1, 2012 re-certification requirement. By letters dated June 26, 2012 and October 18, 2012, TracFone provided supplemental information in support that petition. The information provided herein is in response to requests from Commission Staff.

REQUEST FOR CONFIDENTIAL TREATMENT

Pursuant to Section 0.459 of the Commission's rules, TracFone, by its undersigned counsel, requests that certain information contained in this letter be accorded confidential treatment and that such information not be routinely available for public inspection. In particular, TracFone requests that data regarding the number of customers enrolled in its Lifeline service, the number of its Lifeline customers who re-certified their eligibility to receive Lifeline

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service in 2012, and the number of its Lifeline customers who enrolled in Lifeline service during 2012, but prior to June 1 receive confidential treatment. The requested data is not publicly available and TracFone does not share this information with any third parties. In addition, the requested data includes highly confidential competitively sensitive information which would cause TracFone harm if that data became available to existing or potential competitors. TracFone relies on data regarding the number of customers, including the total number of customers in each state, the number of customers who re-certified their continuing eligibility to receive Lifeline benefits, and the number of customers who enrolled in Lifeline during a particular time period (*e.g.*, January 1 through May 31, 2012), to assess whether its Lifeline plan meets the needs of customers and to revise, as necessary, its business strategies and practices. Given the substantial number of telecommunications service providers which either offer Lifeline service or are seeking to do so, the Lifeline services market segment is highly competitive. As a competitor in that market segment, TracFone would suffer grave and irreparable competitive harm if its customer data were to become available to existing or potential competitors.

Accordingly, pursuant to Section 0.459 of the Commission's rules, TracFone respectfully requests that the information provided in this letter not be routinely available for public inspection.

SUPPLEMENTAL INFORMATION

The number of Lifeline customers in the first category (*i.e.*, pre-2012 Lifeline customers who already have re-certified their continuing Lifeline eligibility during 2012) who would be impacted by the relief requested in the petition is **[REDACTED]**. The number of customers in the second category (*i.e.*, customers enrolled in Lifeline during 2012, but prior to June 1) who would be impacted by the relief requested is **[REDACTED]**.

In its letter dated October 18, TracFone identified certain states where it viewed customer-provided documentation of program-based Lifeline eligibility prior to June 1, 2012 pursuant to state-imposed requirements and states where it verifies applicants' program-based eligibility by accessing state data bases. The number of enrolled TracFone Lifeline customers in those states is as follows:

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I. States Which Require Documentation of Program-based Eligibility

<u>State</u>	<u>Total Customers</u>	<u>Re-certified in 2012</u>	<u>Enrolled 2012 Pre 6/1</u>
Missouri	[REDACTED]	[REDACTED]	[REDACTED]
South Carolina	[REDACTED]	[REDACTED]	[REDACTED]
Kentucky	[REDACTED]	[REDACTED]	[REDACTED]
Rhode Island	[REDACTED]	[REDACTED]	[REDACTED]
Puerto Rico	[REDACTED]	[REDACTED]	[REDACTED]
Indiana	[REDACTED]	[REDACTED]	[REDACTED]
Texas	[REDACTED]	[REDACTED]	[REDACTED]

*[REDACTED]

II. States Which Have Available Eligibility Databases

<u>State</u>	<u>Total Customers</u>	<u>Re-certified in 2012</u>	<u>Enrolled 2012 Pre 6/1</u>
Wisconsin	[REDACTED]	[REDACTED]	[REDACTED]
Maryland	[REDACTED]	[REDACTED]	[REDACTED]
Florida	[REDACTED]	[REDACTED]	[REDACTED]
Washington	[REDACTED]	[REDACTED]	[REDACTED]

III. Number of Customers for Whom Waiver Is Sought in States Which Neither Require Documentation Nor Provide for Access to State Databases

<u>State</u>	<u>Customers</u>
Alabama	[REDACTED]
Arkansas	[REDACTED]
Arizona	[REDACTED]
Connecticut	[REDACTED]
District of Columbia	[REDACTED]
Georgia	[REDACTED]
Iowa	[REDACTED]
Illinois	[REDACTED]
Louisiana	[REDACTED]
Massachusetts	[REDACTED]
Maine	[REDACTED]
Michigan	[REDACTED]
Mississippi	[REDACTED]
North Carolina	[REDACTED]
New Hampshire	[REDACTED]

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<u>State</u>	<u>Customers</u>
New Jersey	[REDACTED]
New Mexico	[REDACTED]
New York	[REDACTED]
Nevada	[REDACTED]
Ohio	[REDACTED]
Pennsylvania	[REDACTED]
Utah	[REDACTED]
Virginia	[REDACTED]
West Virginia	[REDACTED]
Delaware	[REDACTED]
Tennessee	[REDACTED]

TracFone respectfully submits that the information provided herein, in addition to that contained in its petition and in its June 26, 2012 and October 18, 2012 supplemental letters is more than sufficient to support a conclusion that the limited relief requested will serve the public interest.

Pursuant to Section 1.1206(b) of the Commission's Rules, this letter is being filed electronically. Please direct any questions to undersigned counsel for TracFone.

Sincerely,



Mitchell F. Brecher

cc: Ms. Kimberly Scardino
Ms. Divya Shenoy
Mr. Jonathan Lechter